

Amendment No. 1 to SB3497

**Cooper
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3497

House Bill No. 3144*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-21-102(7), is amended by adding to the definition of "Commercial pest control operator" an additional sentence to read as follows:

This term does not include a person who is a "lawn maintenance herbicide applicator" as defined in this section.

SECTION 2. Tennessee Code Annotated, Section 62-21-102, is amended by adding two appropriately numbered new definitions as follows and by renumbering subsequent definitions:

() "Lawn maintenance herbicide applicator" means a person who applies general use herbicides using a portable handheld or backpack sprayers with a capacity of five (5) gallons or less and/or a non-rolling, handheld granular spreader to control weeds when establishing or maintaining plant beds within the landscape and as spot treatments adjacent to fencing, driveways, parking lots, cemetery markers and landscape borders in lieu of, or in conjunction with, mechanical weed trimming and/or edging when performed as an incidental part of a lawncare business and not as a separately itemized commercial service;

() "General use herbicide" means herbicides labeled with the single word "warning" or "caution" that can be commercially purchased over-the-counter by the general public and used without undue hazard to the applicator and environment so long as the instructions on the label are followed;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.